



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, CNR, ERP, FFT, MNDCT, RR

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenants on April 17, 2019 (the “Application”). The Tenants applied as follows:

- To dispute a One Month Notice to End Tenancy for Cause dated April 10, 2019;
- For an order that the Landlord make emergency repairs;
- For an order that the Landlord make repairs;
- For compensation for monetary loss or other money owed; and
- For reimbursement for the filing fee.

The Tenants filed an amendment to the Application dated May 18, 2019. The Tenants disputed a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities. It also indicated that the Tenants wanted to remove a claim but did not indicate which claim.

The Tenants did not appear at the hearing. The Agent appeared at the hearing for the Landlord. The Agent advised that the Tenants vacated the rental unit last week. The Agent confirmed the Landlord is not seeking an Order of Possession given the Tenants have vacated.

I waited 11 minutes, until 9:41 a.m., to allow the Tenants to participate in this hearing scheduled for 9:30 a.m. The Tenants did not call into the hearing.

Rule 7.3 of the Rules of Procedure states that an arbitrator can dismiss an application without leave to re-apply if a party fails to attend the hearing.

Here, the Tenants did not attend the hearing to provide evidence or a basis for the Application. In the absence of evidence from the Tenants, the Application is dismissed without leave to re-apply.

I decline to issue an Order of Possession pursuant to section 55(1) of the *Residential Tenancy Act* (the “*Act*”) given the Tenants have vacated and therefore the Landlord is not seeking one.

### Conclusion

The Application is dismissed without leave to re-apply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: June 04, 2019

---

Residential Tenancy Branch